IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 15195 of 1996

Between:

1 Bharat Electronics Andhra Scientific Company Unit Employees Association (Regd.G-674), rep.by its General Secretary

Sri A.Sivarama Prasad, age 42 yrs, S/o.A.Satyanarayana, MIG-68, APHB Colony, Bypass Road, Machilipatnam-521 001
2 Bharat Electronics Employees Union (Regd.A-1199),

rep.by its General Secretary, Raghava Rao, S/o.Adinarayana,

age 38 yrs, BEL, IE.Nacharam, Hyderabad.

..... PETITIONERS

AND

1 Union of India Ministry of Labour, New Delhi
rep.by its Secretary
2 Regional Provident Fund Commissioner Barkatpura, Hyderabad
3 Chairman & Managing Director M/s Bharat Electronics Ltd.,
116/2, Race Course Road, Bangalore - 560 001
4 General Manager M/s Bharat Electronics Ltd.,
Machilipatnam - 521 001 Krishna Dist
5 General Manager M/s Bharat Electronics (EMD) Ltd.,
IE, Nacharam, Hyderabad-76
6 Regional Manager (Sales) M/s Bharat Electronics (EMD) Ltd.,
5-9-241, Abids Road Hyderabad-500 001

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ particularly one in the nature of writ of certiorari or any other appropriate writ declaring the ordinance Dt.11/10/1995 issued by Government of India and also the Employees Pension Scheme, 1995 notified under the Gazette Dt.16/11/1995 and also the Employees Pension (Amendment) Scheme,

1996 Dt.28/02/1996 as illegal, arbitrary and consequently direct the respondent corporation not to transfer the employees contributions towards employees pension scheme.

Counsel for the Petitioner:MR.G.VIDYASAGAR

Counsel for the respondent 1 and 2 : Mr.R.N.Reddy.

Counsel for the Respondent Nos.3 to 6 : MR.P.NAGESWAR SREE

The Court made the following :

O R D E R:

It is represented by the learned counsel for the respective parties that the Writ Petition requires to be dismissed in terms of the Judgment of the Supreme Court dated 11-11-2003 in Special Leave Petition (C) No.22316 of 1997 and batch.

The Writ Petition is accordingly dismissed. No order as to costs.

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12-08-2004

prv

.....ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Union of India Ministry of Labour, New Delhi.
2 The Regional Provident Fund Commissioner Barkatpura, Hyderabad
3 The Chairman & Managing Director M/s Bharat Electronics Ltd., 116/2, Race Course Road, Bangalore - 560 001
4 The General Manager M/s Bharat Electronics Ltd.,

Machilipatnam - 521 001 Krishna Dist

5 The General Manager M/s Bharat Electronics (EMD) Ltd.,
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